

Committee of the Whole (1) Report

DATE: Tuesday, December 01, 2020

WARD(S): 1

**TITLE: HATPIN DEVELOPMENTS INC. DRAFT PLAN OF
CONDOMINIUM (STANDARD) FILE 19CDM-20V004 10242 TO
10294 KEELE STREET, 2 TO 18 MCNAUGHTON ROAD AND 2
TO 78 SEACOASTS CIRCLE VICINITY OF KEELE STREET
AND MCNAUGHTON ROAD**

FROM:

Nick Spensieri, Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Draft Plan of Condominium (Standard) File 19CDM-20V004 for the subject lands shown on Attachments 2 and 3. The Owner is proposing to create the condominium tenure for 51, 3-storey townhouse dwellings, currently under construction, as shown on Attachment 4.

Report Highlights

- The Owner is proposing to create the condominium tenure for 51, 3-storey townhouse units, currently under construction
- The Draft Plan of Condominium (Standard) consists of the areas dedicated to the residential units, amenity area, communal mailboxes, private road, visitor parking, landscaping and urban square including a commemoration plaque
- The Draft Plan of Condominium conforms to Vaughan Official Plan 2010, complies with Zoning By-law 1-88 and is consistent with the Council endorsed and Local Planning Appeal Tribunal approved Site Development File DA.18.002

Recommendations

1. THAT Draft Plan of Condominium (Standard) File 19CDM-20V004 (Hatpin Developments Inc.) BE DRAFT APPROVED, as shown on Attachment 4, subject to the Conditions of Draft Approval set out in Attachment 1.

Background

The subject lands (the ‘Subject Lands’) shown on Attachment 2 are municipally known as 10242, 10246, 10250, 10254, 10258, 10262, 10266, 10270, 10274, 10278, 10282, 10286, 10290, 10294 Keele Street, 2, 6, 10, 14 18 McNaughton Road and 2, 6, 10, 14, 18, 22, 26, 27, 30, 31, 34, 35, 38, 39, 42, 43, 46, 47, 50, 51, 54, 55, 58, 59, 62, 63, 66, 67, 70, 71, 74 and 78 Seacoasts Circle. The surrounding land uses are shown on Attachment 2.

History

The Owner submitted related Zoning By-law Amendment File Z.16.044 to the City of Vaughan on October 20, 2016 and Site Development File DA.18.002 on January 29, 2018. Vaughan Council considered File Z.16.044 at a Public Hearing held on March 7, 2017. The Owner on December 12, 2017, appealed Zoning By-law Amendment File Z.16.044 and on April 13, 2018 appealed Site Development File DA.18.002 to the Local Planning Appeal Tribunal (‘LPAT’) pursuant to Sections 34(11) and 41(12) of the *Planning Act*, citing Council’s failure to make a decision on the Applications within prescribed timelines under the *Planning Act*.

The first Pre-hearing Conference (‘PHC’) of the Tribunal respecting the appeals occurred on August 22, 2018. On consent, the Zoning By-law Amendment appeal (PL171487) and the Site Development appeal (PL180250) were consolidated. Party status was also granted on consent to CRH Canada Group Inc. (‘CRH’). Counsel for the Owner requested the Tribunal set a second PHC for the fall of 2018. In the interim, the Owner was directed to work with the parties to address outstanding issues including noise and air quality matters. The second PHC occurred on October 10, 2018. The LPAT issued an Order on November 13, 2018, scheduling a five-day hearing to commence on August 19, 2019.

The Development Planning Department sought direction from Vaughan Council to attend the LPAT proceedings in support of the Recommendations contained in March 5, 2019 Committee of the Whole report. Vaughan Council on March 19, 2019 endorsed the recommendations.

A one-day hearing was held on August 19, 2019 between the Owner and the City of Vaughan; CRH did not appear. An oral decision was rendered, and the appeals were

allowed in part and the amendments to Zoning By-law 1-88 and the associated site plan were approved in principle. The final order was withheld pending confirmation from the Owner and the City of the final form of the Zoning By-law Amendment and the conditions of the Site Plan Agreement. On September 30, 2019, the oral decision and interim order were issued by the Tribunal. The site plan agreement was executed on October 22, 2019 and the Zoning By-law Amendment delegation order was issued on October 24, 2019 and a City of Vaughan Zoning By-law Amendment number was issued by Vaughan Council on November 19, 2019. The approvals facilitated the development of 51, 3-storey townhouse units on the Subject Lands.

Previous Reports/Authority

The Committee of the Whole report for related Site Development File DA.18.002 can be found at the following link:

[March 5, 2019 Committee of the Whole Report for Site Development File DA.18.002](#)

The Oral Decisions and interim order of the Local Planning Appeals Tribunal can be found at the following link:

[September 30, 2019 LPAT E-decision for PL171487](#)

Analysis and Options

Hatpin Developments Inc. (the 'Owner') has submitted Draft Plan of Condominium (Standard) File 19CDM-20V004 (the 'Application') to create the residential condominium tenure for 51, 3-storey townhouses (the 'Condominium Plan') in the final stages of construction on the Subject lands, as shown on Attachment 4. The Condominium Plan consists of the following:

- 51 residential units
- two parking spaces are provided for each dwelling unit. Units 1 to 26 and Units 47 to 51 accommodate the parking spaces in a double car garage with no driveway and Units 27 to 46 include one space in a garage and one space on the driveway of each lot for exclusive use of the Owner. The Subject Lands contain a total of 13 visitor parking spaces (Attachment 4)
- the common areas of the Condominium Plan (amenity area, communal mailboxes, private road, visitor parking, emergency entrance, landscaping and urban square including a commemoration plaque)

The Condominium Plan is Consistent and Conforms to Provincial, Region of York and City Official Plan Policies and complies with Zoning By-law 1-88, as amended
The Provincial Policy Statement, 2020 ('PPS') and A Place to Grow: Growth Plan for the

Greater Golden Horseshoe, 2019 (the 'Growth Plan'), as amended, provide policy direction for land use planning and development for lands in Ontario. In addition, the *Ontario Heritage Act* enables municipalities to preserve and protect the cultural heritage properties of Ontario. The Subject Lands are within the "Urban Area" with frontage on a Regional Road (Keele Street) as identified by the York Region Official Plan 2010 ('YROP') and are designated "Low-Rise Mixed-Use" and located within the Maple Heritage Conservation District Plan ('MHCDP') by Vaughan Official Plan 2010 ('VOP 2010').

The "Low-Rise Mixed-Use" designation permits townhouse dwelling units having a maximum building height of 3-storeys and a maximum density (Floor Space Index – 'FSI') of 1.25 times the area of the lot. Limited intensification may be permitted in Community Areas in accordance with the land use designations on Schedule 13 (Policy 2.2.3.3). The proposal has an FSI of 0.73 and a maximum building height of 3-storeys. The built form and architectural style were designed in accordance with the MHCDP. The proposed townhouse units provide additional housing options, utilizes a compact built form, is transit supportive and provides an urban interface and pedestrian connectivity onto Keele Street.

The Subject Lands are zoned "RM2 Multiple Residential Zone" subject to site-specific Exception 9(1486) in Zoning By-law 1-88 and permits the Condominium Plan, as shown on Attachment 4. The Condominium Plan would create the condominium tenure for a development permitted by the YROP, VOP 2010 and complies with Zoning By-law 1-88, as amended.

The Condominium Plan is consistent with Council approved Site Development File DA.18.002

The condominium plan is consistent with the site plan approved by Vaughan Council shown on Attachment 3. The Owner must submit an "as-built" survey to the satisfaction of the Building Standards Department, prior to the registration of the final Condominium Plan. A condition to this effect is included in Attachment 1.

Special Conditions from the Site Plan Agreement are to be included in the Condominium Agreement

The Site Plan Agreement for this development includes conditions to be incorporated into the Condominium Agreement, Condominium Declaration and Purchases of Sale and or Lease related to warning clauses advising purchasers and/or tenants of road and industrial noise, odour and other nuisance effects from industrial users across the

street, lighting and noise from the abutting park, residential unit noise control features and unit-specific sump pumps. Conditions to this effect are included in Attachment 1.

The Development Engineering Department has no objection to the Condominium Plan, subject to their condition of Draft Approval

The Development Engineering Department has no objection to the Condominium Plan, subject to the Owner providing documentation to the Development Engineering Department prior to the release of the condominium plan for registration, to confirm the specific conditions of the Site Plan Agreement have been satisfied. A condition to this effect is included in Attachment 1.

The Environmental Services Department has no objection to the Condominium Plan. The garbage/recycling collection may be eligible for municipal waste collection services and snow removal will be privately administered

The Environmental Services Department, Solid Waste Management Division advise the future Condominium Corporation may be eligible for municipal waste collection services upon a successfully completed application, however, should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal waste collection services, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation. A condition to this effect is included in Attachment 1.

Snow removal and clearing will be privately administered and the responsibility of the condominium corporation. A condition to this effect is included in Attachment 1.

The Financial Planning and Development Finance Department have no objection to the Condominium Plan, subject to their Condition of Draft Approval

The Vaughan Financial Planning and Development Finance Department has no objection to the Application. The Owner must pay all outstanding taxes, development charges and levies, as may be required. A condition to this effect is included in Attachment 1.

Other City Departments have no objections to the Condominium Plan

The Building Standards, Parks Development, Office of Infrastructure and Development-Real Estate Services and By-law & Compliance, Licensing & Permit Services Departments of the City of Vaughan were circulated the Application and provided no comments or objection.

Canada Post has no objection to the Condominium Plan, subject to their Conditions of Approval

The Owner is required to provide a community mailbox and satisfy all requirements of Canada Post. Conditions to this effect are included in Attachment 1.

All utilities have no objection to the Condominium Plan, subject to their Condition of Draft Approval

Bell Canada, Rogers Communications, Alectra Utilities, Enbridge Gas and Hydro One have no objections to the Applications. The Owner is required to confirm all required easements and rights-of-way for each utility have been granted to the appropriate authority. A condition to this effect is included in Attachment 1.

Financial Impact

There are no requirements for new funding associated with this report.

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has no objection to the approval of this Application, subject to the conditions outlined in Attachment 1.

Conclusion

Draft Plan of Condominium (Standard) File 19CDM-20V004 would create the condominium tenure for 51, three-storey townhouse units. The Condominium Plan would implement a Council approved development (Site Development File DA.18.002) that is consistent with and conforms to Provincial policies, conforms to York Region and City of Vaughan Official Plan policies, the Maple Heritage Conservation District guidelines, and complies with Zoning By-law 1-88. Accordingly, the Development Planning Department can support the approval of the Application, subject to the Conditions of Draft Approval as identified in Attachment 1.

For more information, please contact: Margaret Holyday, Senior Planner, Development Planning Department, ext. 8216

Attachments

1. Conditions of Draft Approval
2. Context and Location Map
3. Approved Site Plan (File DA.18.002)
4. Draft Plan of Condominium (Standard)

Prepared by

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Approved by

A handwritten signature in black ink, appearing to read 'Nick Spensieri', with a long horizontal line extending to the right.

Nick Spensieri, Deputy City
Manager
Infrastructure Development

Reviewed by

A handwritten signature in black ink, appearing to read 'Jim Harnum', with a long horizontal line extending to the right.

Jim Harnum, City Manager